

TEMPORARY

No. 68505-T

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 19 2002

Returned to applicant for correction FEB 26 2002

Corrected application filed _____

Map filed MAR 21 1997 under 62848

The applicant **Frehner Construction Company, Inc.** hereby make application for permission to change the **point of diversion and place of use for 85 acre-feet, a portion of** of water heretofore appropriated under **V05814**

1. The source of water is **underground**
2. The amount of water to be changed **85 acre-feet**
3. The water to be used for **mining and sand & gravel processing**
4. The water heretofore permitted for **same as above**
5. The water is to be diverted at the following point **a portion of NW¼ SW¼ of section 13, T23S, R60E, MDM bearing North 63° 29 min 9 sec East a distance of 720.66 ft. from the S 1/16 corner of section 13.**
6. The existing permitted point of diversion is located within **a portion of SW¼ SE¼, Section 13, T23S., R.60E., M.D.B.&M., North 68° 53' 16" East 3.110.2 ft. from the SW corner of said section 13.**
7. Proposed place of use **See attached exhibit "A"**
8. Existing place of use **See attached exhibit "A"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump, above ground pipelines & CAT generator**
12. Estimated cost of works **\$60,000**
13. Estimated time required to construct works **well complete, has permit #67692**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **This change in point of diversion is a temporary change for a one year time frame only. The existing temporary CPOD was granted under Temporary Permit No. 67177T expiring 5/1/02. Due to contracted material needs, we are requesting a renewal of permit 67177T.**

By **Philip Nelson**
s/**Philip Nelson**
4040 Frehner Rd.
North Las Vegas, NV 89030

Compared my/sam dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Proof V-05814 is issued subject to the terms and conditions imposed in said Proof V-05814 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **May 12, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The issuance of Temporary Permit 68505-T expires Permit 67177-T.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.124 cubic feet per second, but not to exceed 85.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 13th day of May, A.D. 2002

Hugh Ricci, P.E.

State Engineer
WITHDRAWN BY APPLICANT NOV 20 2002
Hugh Ricci, P.E. STATE ENGINEER

"SE	1/4	SE	1/4	SW	1/4	SEC	13	T23S	R60E
NE	1/4	SE	1/4	SW	1/4	SEC	13	T23S	R60E
N	1/2	S	1/2	SE	1/4	SEC	13	T23S	R60E
N	1/2	NW	1/4	SW	1/4	SEC	13	T23S	R60E
SE	1/4	NW	1/4			SEC	13	T23S	R60E
SE	1/4	NW	1/4	SW	1/4	SEC	13	T23S	R60E
NE	1/4	SW	1/4			SEC	13	T23S	R60E
N	1/2	SE	1/4			SEC	13	T23S	R60E
S	1/2	SW	1/4	NW	1/4	SEC	13	T23S	R60E
NE	1/4					SEC	13	T23S	R60E
NE	1/4	NE	1/4	NW	1/4	SEC	13	T23S	R60E
S	1/2	NE	1/4	NW	1/4	SEC	13	T23S	R60E
SE	1/4	SW	1/4			SEC	12	T23S	R60E
SW	1/4	SE	1/4			SEC	12	T23S	R60E"

EXHIBIT "B"

SECTION	TOWN-SHIP	RANGE	N E				N W				S E				S W				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
SECTION: 12 T. 23 S.		R. 60 E.									20.0			40.0	20.0	20.0	40.0	40.0	220.0
SECTION: 13 T. 23 S.		R. 60 E.	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	30.0		20.0	40.0	40.0	40.0	20.0	550.0
SECTION: 18 T. 23 S.		R. 61 E.										40.0	40.0						160.0